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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,746	12/21/2001	Jae Kyung Lee	K-0372	5271
34610	7590	12/11/2006		
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153				
			EXAMINER ZURITA, JAMES H	
			ART UNIT 3625	PAPER NUMBER

DATE MAILED: 12/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,746

Applicant(s)

LEE, JAE KYUNG

Examiner

James H. Zurita

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2,4,13-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,4,13-16 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's amendment of 20 September 2006 has been entered. Applicant amended claims 2, 4, 13, 14, 15, 16.

Claims 2, 4, 13-16 and 18-20 are pending and will be examined.

### ***Response to Arguments***

Objections are withdrawn in view of amendment. Applicant's comments concerning Lambrecht are moot in view of new grounds for rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2, 4, 13-16, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al. (US 6,437,836).

***As per claim 2***, Huang discloses a remote controller (EFRC, single integrated unit, as in Col. 9, lines 16-19), comprising:

**a communication module** (Fig. 2, communications, for example)  
configured to communicate (as in Col. 3, lines 56-65)

over the Internet (Col. 5, lines 23-31, for example)

with a device which is configured to operate an Internet site (servers, inherent in the Internet and for downloading),

wherein the communication module receives remote controller information for a plurality of electronic apparatuses over the Internet from the device [applicant's device 12]. See, for example, downloading files from the Internet via communications links, as in Col. 3, lines 56-65 and for codes, see at least Col. 4, lines 7-14).

said remote controller information including remote controller code information and function information from the plurality of electronic apparatuses (see, for example, references to code functions, as in Col. 4, lines 7-14) ;

**a storage device** for storing the remote controller information transmitted through the communication module (See, for example, at least Fig. 7, illustrating storage structure for codes); and

**a display unit** including an image process circuit and a display window, said display unit displaying various remote controller function keys and a list of the plurality of electronic apparatuses (see, for example, at least Col. 1, lines 7-12 as well as references to electronic program guides (lists), as in Col. 3, lines 13-24),

wherein the remote controller transmits an infrared signal corresponding to a key input by a user (see, for example, at least Col. 6, lines 15-26).

**As per claim 4**, Huang discloses the device comprises one of a server or a PC. See at least Col. 5, lines 22-30, which discloses downloading files from the Internet, which inherently involve at least one server on the Internet).

**As per claim 13**, Huang discloses a user interface unit [23] configured to receive user operation commands for remote controller [14] functions (See, for example, at least Fig. 6 and related text).

**As per claim 14**, Huang discloses an infrared transmitting unit [26] configured to generate at least one infrared signal corresponding to the key input by the user among the various remote controller function keys (see, for example, references to infrared transmission, as in Col. 3, line 66-Col. 4, line 6).

**As per claim 15**, Huang discloses a controlling unit [24] configured to control at least the infrared transmitting unit (Fig. 2, item 202,).

**As per claim 16**, Huang discloses a program [xx] executable by the controlling unit to select and control each of the plurality of electronic apparatuses (see, for example, at least Col. 4, lines 15-21, Col. 7, lines 43-54).

**As per claim 18**, Huang discloses the electronic apparatuses are from different manufacturers. See, for example, at least Fig. 7 and references to IR Signal Types, such as REC-80 (developed by Panasonic) and REC-5 (Phillips) for different manufacturers and their devices.

**As per claim 19**, Huang discloses that the electronic apparatuses are of different kinds (see, for example, references to TV's and VCR's, as in Col. 2, lines 16-29).

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang.

**As per claim 20**, Huang **does not** specifically disclose that the electronic apparatuses comprise different models. Huang discloses introduction of new codes for new electronic apparatuses, as in Col. 2, lines 16-28.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to extend Huang to disclose that electronic apparatuses comprise different models. One of ordinary skill in the art at the time the invention was made would have been motivated to extend Huang to disclose that electronic apparatuses comprise different models for the obvious reason that improvements in electronics allows manufacturers to improve their electronic apparatuses and offer them to consumers as later models.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**James Zurita**  
**Primary Examiner**  
**Art Unit 3625**  
5 December 2006

*James Zurita*  
*Primary Examiner*